

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
RIZWAN RAJA,

Plaintiff,

-against-

JOHN W. BURNS and THE CITY OF NEW YORK

Defendants.
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19-CV-01328(AMD)(RER)

**DECLARATION OF EMILY K. STITELMAN IN SUPPORT OF DEFENDANTS'
MOTION TO DISMISS**

EMILY K. STITELMAN, an attorney duly admitted to practice law in the United States District Court of the Eastern District of New York, declares under penalties of perjury, pursuant to 28 U.S.C. § 1746, that the following is true:

1. I am an Assistant Corporation Counsel in the office of Zachary W. Carter, Corporation Counsel of the City of New York, attorney for defendants John W. Burns and The City of New York ("defendants"). This declaration is submitted in support of defendants' motion to dismiss the First Amended Complaint pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, and to place certain documents upon the record of this motion.

2. True and correct copies of the following documents, which are referenced in defendants' accompanying Memorandum of Law, are attached hereto for the Court's consideration:

- a. A copy of the First Amended Complaint, dated April 15, 2019, is annexed hereto as Exhibit "A."
- b. A copy of the Transcript of Civil Cause for Pre-Motion Conference before the Honorable Ann M. Donnelly, dated May 15, 2019, is annexed hereto as Exhibit "B."

- c. A copy of the Petition in the matter Office of Administrative Trials and Hearings v. Rizwan Raja, OATH Index No. 191903, is annexed hereto as Exhibit "C."

Dated: New York, New York
June 11, 2019



EMILY K. STITELMAN